IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 14416 of 2004(N)

PETITIONER:

M/S.HI-TECH DRIVING SCHOOL PVT. LTD.
HOUSE NO.X/56, OPP.PRESS ACADAMY,
IRUMPANAM ROAD (CEPZ),
KAKKANAD,ERNAKULAM DISTRICT,
REPRESENTED BY THE MANAGING DIRECTOR BABU VARGHESE

BY ADV. SRI.MURALI PURUSHOTHAMAN
SRI.P.M.BENZIR
SRI.DEEPU LAL MOHAN

RESPONDENTS:

REGIONAL TRANSPORT OFFICER (LICENSING AUTHORITY),
CIVIL STATION, ERNAKULAM.

BY GOVERNMENT PLEADER SRI.SMITHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/03/2007 ALONG WITH W.P.(C)15614 OF 2003, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of the License in Form No.11 from the Regional Transport Officer/Licensing Authority on 6.12.1999.

Ext.P2: True copy of the application dated 6.5.2002 filed by the petitioner before the 1st respondent along with the leased agreement.

Ext.P3: True copy of the inspection memo dated 8.5.02 issued by the Regional Transport Officer, Ernakulam

Ext.P4: True copy of the reminder dated 21.4.2004 filed by the petitioner.

// True copy //

P.A. to Judge

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C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)Nos.14416 OF 2004 & 15614 OF 2003

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Dated this the 21th day of March 2007

JUDGMENT

The driving school license issued to the petitioner was cancelled for the main reason that common instructor was engaged by petitioner's driving school at Vyttila and another driving school which is located more than 30 kms. away from Vyttila. Obviously, a common instructor serving at two places separated by a distance of more than 30 kms. cannot effectively impart training to the trainees. In order to ensure availability of qualified hands for imparting training in the driving school, Rules provided for display of their names and addresses in the driving school. During pendency of these writ petitions, the petitioner was allowed to run the driving school and according to the petitioner, petitioner is conducting driving school with required number of qualified instructors after displaying their names in the school.

2. In the circumstances, Ext.P8 in W.P.(C)15614 of 2003 is quashed and there will be a direction to the R.T.O. and the Police to conduct inspection at any time and if petitioner is not

maintaining the driving school as per Rules, license granted can be cancelled. Since license is restored, the first respondent/R.T.O. will consider petitioner's application for shifting office of the driving school.

Writ petitions are disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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